

BEFORE THE
BOARD OF MEDICAL QUALITY ASSURANCE
DIVISION OF MEDICAL QUALITY
STATE OF CALIFORNIA

In the Matter of the Petition)	
for Reinstatement of Revoked)	
Certificate of:)	
)	
BARRY ALLAN SCHERR, M.D.)	OAH NO. N 20833
50 Monee Road)	
Park Forest, IL 60466)	
)	
)	
Petitioner.)	
_____)	

DECISION

This matter was heard before a panel of the Seventh District Medical Quality Review Committee on May 12, 1983, in San Mateo, California.

The panel consisted of Robert H. Reid, M.D.; Yolanda Peredia-Estremera, R.N.; Keith I. Marton M.D.; Sandra R. Rupp, R.N., Stephen Fisk, M.D.; W. Warren Mills, M.D.; and Aidan R. Gough, J.D., Chairman. Michael C. Cohn, Administrative Law Judge, State of California, Office of Administrative Hearings, presided.

The Division of Medical Quality, Board of Medical Quality Assurance, was represented by Joanne Condas, Deputy Attorney General.

Petitioner Barry Allan Scherr, M.D., was present and represented by Forrest Plant, Jr., Attorney at Law, 455 Capitol Mall, Suite 800, Sacramento, California 95814.

FINDINGS OF FACT

I

By a Decision dated September 21, 1981, effective October 21, 1981, Certificate No. G-33006 issued to Barry Allen Scherr, M.D., ("petitioner") was revoked for unprofessional conduct pursuant to Business and Professions Code sections 2361(a) (dishonesty) and 2391.5 (violation of narcotics and drugs statutes). The revocation of petitioner's license followed a default hearing. Although service of the accusation had been made in accordance with statutory requirements, petitioner was unaware of the proceedings against him. At the time of the hearing, petitioner was residing and practicing in Illinois. Petitioner did not know that his certificate had been revoked until 1982, when the State of Illinois took action against his license to practice medicine in that state based upon the revocation of his certificate in California. The proceedings against his Illinois license have been terminated without the imposition of disciplinary action.

II

Petitioner has filed with the Board of Medical Quality Assurance his Petition for Reinstatement of Revoked Certificate dated October 3, 1982.

III

Petitioner has established to the satisfaction of the panel that it would not be against the public interest to reinstate his revoked certificate. It is further found that no useful purpose would be served by requiring petitioner to serve a period of probation to the Board.

DETERMINATION OF ISSUES

Cause exists for reinstatement of petitioner's revoked certificate.

ORDER

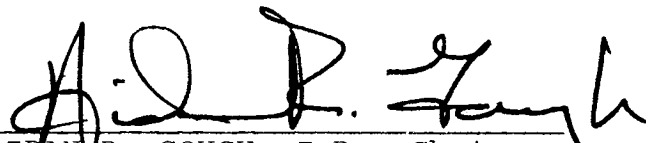
The Petition for Reinstatement of Revoked Certificate of Barry Allan Scherr, M.D., is granted. Petitioner

shall be restored to full licensed privileges effective immediately.

This Decision shall become effective on June 1, 1983.

DATED: June 1, 1983

BOARD OF MEDICAL QUALITY ASSURANCE
DIVISION OF MEDICAL QUALITY
STATE OF CALIFORNIA


AIDAN R. GOUGH, J.D., Chairman
Panel of Seventh District Medical
Quality Review Committee

ARG:MCC:rem